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OFFICE OF PETITIONS

In re Application of :
Jose REMACLE et al. :
Application No. 10/056,229 :
Filed: January 23, 2002 :
Attorney Docket No. VANM213.001CP1 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed July 20, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed January 2, 2004, which set a shortened statutory period for reply of three (3) months. A three (3) month extension of time under the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the above-identified application became abandoned on July 3, 2004.

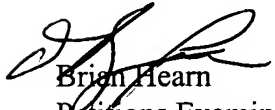
The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment, a Request for Continued Examination, and the \$385 filing fee; (2) the petition fee of \$1500; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the final Office Action of January 2, 2004 is accepted as having been unintentionally delayed.

It is noted that the record indicates that applicant is entitled to small entity status under 37 CFR 1.27; however, the petition fee for a large entity has been submitted. Applicant is reminded that small entity status remains in effect until changed pursuant to 37 CFR 1.27(g). If applicant believes they are entitled to a refund under 37 CFR 1.26, petitioner may request such refund by writing to the following address: Mail Stop 16, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Telephone inquiries concerning this decision should be directed to David A. Bucci at (571) 272-7099 or in his absence, the undersigned at (571) 272-3217.

Application No. 10/056,229

The application file is being referred to Technology Center AU 1637 for appropriate action on the concurrently filed Request for Continued Examination and amendment.



Brian Hearn
Petitions Examiner
Office of Petitions